

JAN 18 2002

COPY OF PAPERS
ORIGINALLY FILED

Our Docket No: 42390P12320

PATENT

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PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Monte Rhoads)
Application No.: 09/967,032)
Filed: September 28, 2001)
For: POWER MANAGEMENT SYSTEM TO SELECT)
A POWER STATE FOR A NETWORK)
COMPUTER SYSTEM BASED ON LOAD)

Examiner: Not yet assigned
Art Unit: Not yet assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
(FILING DATE GRANTED)

Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted) mailed October 29, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.16(e);
- (3) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 12-31-01

Brent E. Vecchia

Brent E. Vecchia
Reg. No. 48,011

12400 Wilshire Blvd., 7th Floor
Los Angeles, California 90025-1026
(303) 740-1980

Docket No.: 42390P12320
Application No.: 09/967,032



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UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/967,032	09/28/2001	Monte J. Rhoads	42390P12320

CONFIRMATION NO. 4834

FORMALITIES LETTER



OC00000006991095

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
 Seventh Floor
 12400 Wilshire Boulevard
 Los Angeles, CA 90025-1026

Date Mailed: 10/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

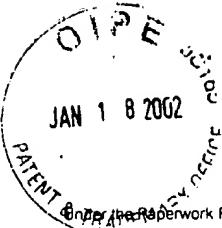
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A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PTO/SB/17(09-00)

Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2002

TOTAL AMOUNT OF PAYMENT (\$) \$ 130.00

Complete if Known:

Application No. 09/967,032

Filing Date September 28, 2001

First Named Inventor Monte Rhoads

Group Art Unit Not Yet Assigned

Examiner Name Not Yet Assigned

Attorney Docket No. 42390P12320

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name _____

FIRST CLASS CERTIFICATE OF MAILING

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 (37 C.F.R. § 1.8 (a))

I hereby certify that this correspondence is mailed

United States Postal Service as first class mail

in an envelope addressed to the Assistant Commissioner

Washington, DC 20231.

Date of Deposit

FEE CALCULATION

1. **BASIC FILING FEE**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	
Code	(\$)	Code	(\$)
101	740	201	370
106	330	206	165
107	510	207	255
108	740	208	370
114	160	214	80
		Utility application filing fee	
		Design application filing fee	
		Plant filing fee	
		Reissue filing fee	
		Provisional application filing fee	

SUBTOTAL (1) \$ 0.00

2. **EXTRA CLAIM FEES**

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	- 20** =	X =	
Independent Claims	- 3** =	X =	
Multiple Dependent		=	

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Small Entity

<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee Description</u>
<u>Code</u>	<u>(\$)</u>	<u>Code</u>	<u>(\$)</u>	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**R issue independent claims over original patent
110	18	210	9	**R issue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0.00

JAN 18 2002

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Larg Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>			
<u>Fee</u>	<u>Fee</u>	<u>Code</u>	<u>(\$)</u>	<u>Fee</u>	<u>Code</u>	<u>(\$)</u>
105	130	205	65	Surcharge - late filing fee or oath		\$130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet		
139	130	139	130	Non-English specification		
147	2,520	147	2,520	For filing a request for ex parte reexamination		
099	8,800	099	8,800	Request for inter partes reexamination		
112	920*	112	920*	Requesting publication of SIR prior to Examiner action		
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		
115	110	215	55	Extension for response within first month		
116	400	216	200	Extension for response within second month		
117	920	217	460	Extension for response within third month		
118	1,440	218	720	Extension for response within fourth month		
128	1,960	228	980	Extension for response within fifth month		
119	320	219	160	Notice of Appeal		
120	320	220	160	Filing a brief in support of an appeal		
121	280	221	140	Request for oral hearing		
138	1,510	138	1,510	Petition to institute a public use proceeding		
140	110	240	55	Petition to revive unavoidably abandoned application or unavoidably delayed payment of issue fee		
141	1,280	241	640	Petition to revive unintentionally abandoned application or unintentionally delayed payment of issue fee		
142	1,280	242	640	Utility issue fee (or reissue)		
143	460	243	230	Design issue fee		
144	620	244	310	Plant issue fee		
122	130	122	130	Petitions to the Commissioner		
123	50	123	50	Petitions related to provisional applications		
126	180	126	180	Submission of Information Disclosure Stmt		
581	40	581	40	Recording each patent assignment per property (times number of properties)		
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))		
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))		
179	740	279	370	Request for Continued Examination (RCE)		
169	900	169	900	Request for expedited examination of a design application		

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 130.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Brent E. VecchiaSignature: Brent E. Vecchia Dat : 12-31-01Reg. Number: 48,011 Telephone Number: 303-740-1980